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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/792,050	03/03/2004	Daniel Hock	60,130-2045; 02MRA0104 4784	
26096	7590 08/02/2004		EXAMINER	
CARLSON, GASKEY & OLDS, P.C. 400 WEST MAPLE ROAD			PATEL, KIRAN B	
SUITE 350	THE LE ROLL		ART UNIT	PAPER NUMBER
BIRMINGHAM, MI 48009			3612	

DATE MAILED: 08/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

,	Application No.	Applicant(s)				
	10/792,050	HOCK ET AL.				
Office Action Summary	Examiner	Art Unit				
	Kiran B. Patel	3612				
The MAILING DATE of this communication appears on the cover sheet with the correspondence address  Period for Reply						
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).						
Status						
1) Responsive to communication(s) filed on 07 Ju	l <u>y 2004</u> .					
2a) ☐ This action is <b>FINAL</b> . 2b) ☐ This	This action is FINAL. 2b)⊠ This action is non-final.					
closed in accordance with the practice under E.	x parte Quayle, 1935 C.D. 11, 45	i3 O.G. 213.				
Disposition of Claims						
4) ☐ Claim(s) 1-8 is/are pending in the application. 4a) Of the above claim(s) is/are withdraw 5) ☐ Claim(s) is/are allowed. 6) ☐ Claim(s) 1-8 is/are rejected. 7) ☐ Claim(s) is/are objected to. 8) ☐ Claim(s) are subject to restriction and/or						
Application Papers						
9) The specification is objected to by the Examiner  10) The drawing(s) filed on is/are: a) access  Applicant may not request that any objection to the or  Replacement drawing sheet(s) including the correction  11) The oath or declaration is objected to by the Examiner	epted or b) objected to by the Edrawing(s) be held in abeyance. See on is required if the drawing(s) is obj	e 37 CFR 1.85(a). ected to. See 37 CFR 1.121(d).				
Priority under 35 U.S.C. § 119						
<ul> <li>12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).</li> <li>a) All b) Some * c) None of:</li> <li>1. Certified copies of the priority documents have been received.</li> <li>2. Certified copies of the priority documents have been received in Application No</li> <li>3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).</li> <li>* See the attached detailed Office action for a list of the certified copies not received.</li> </ul>						
Attachment(s)  1) Notice of References Cited (PTO-892)  2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  Paper No(s)/Mail Date	4)  Interview Summary Paper No(s)/Mail Da 5)  Notice of Informal P 6)  Other:					

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### DETAILED ACTION

Non-Final Rejection

#### Election/Restriction

1. Applicant's election with traverse of Species B, Fig 4-5, and claims 1-8, is acknowledged.

# Claim Rejections - 35 USC \$ 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

- 2. Claims 3, as best understood, are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
- 3. Claims, elected for prosecution, are confusing and are not clear because claimed limitations, (claim 3, the interlocking fit is created by pressure applied by the inner layer onto the outer skin, wherein the pressure from the inner layer

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deforms the outer skin at the recess against the second car body part), are not shown in the figures and/or lacks support in the specification and therefore fails to particularly point out and distinctly claim the subject matter which applicant regards as the invention. These limitations must be shown or the feature(s) canceled from the claim(s). Applicant is requested to go through the application and ensure that the claimed matter has been described in the specification and shown in the drawing in such a way as to convey to one skilled in the art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Correction is required.

### Claim Rejections - 35 USC \$ 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
- 4. Claims 1-3, 5-6, 8, are rejected under 35 U.S.C. 102(b) as being anticipated by Jacobsen et al. (4,792,180).

Regarding claims 1-3, 5-6, 8, Jacobsen et al. (4,792,180) discloses in Fig. 1-3 the invention as claimed to include a first body part of the roof having an outer skin 12, 16, formed of at least partially deformable material, said outer skin having a recess, Fig 2, an inner layer 56, and a second car body part 42 placed in the recess, wherein the second car body part is anchored in the recess by an interlocking fit between the recess and the second car body part, an edge portion 50, one anchoring protrusion 52.

### Claim Rejections - 35 USC \$ 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 5. Claim 4, 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jacobsen et al. (4,792,180) and in view of ordinary skill in the art.

Regarding claim 4, 7, Jacobsen et al. (4,792,180) discloses the invention as claimed.

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However, Jacobsen et al. (4,792,180) does not disclose that the inner layer is reinforced with glass fiber and the outer skin is made of plastic.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to reinforce the inner layer with glass fiber and the outer skin is made of plastic, since it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice to increase the strength of the inner layer and avoid corrosion problems.

### Conclusion

- 6. The prior art made of record in attached Notice of Reference Cited (PTO-892) and not relied upon is considered pertinent to applicant's disclosure. This art of record shows various features similar to the applicant's invention.
- 7. Any inquiry concerning this communication or earlier communications should be directed to Primary Examiner Kiran B. Patel whose telephone number is 703-305-0254. The examiner can normally be reached on M-F from 8:00 to 5:00. The

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fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Kinari B. Patel, P. E. Primary Examiner Art Unit 3612 July 28, 2004